

By Barrientes

SB. No. 1360

A BILL TO BE ENTITLED

AN ACT

relating to changing the composition of the Lower Colorado River Authority board of directors by adding a board member who resides in the watershed of the Colorado River in Hays County.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1, Chapter 7, Acts of the 43rd Legislature, 4th Called Session, 1934 (Article 8280-107, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 1. There is hereby created within the State of Texas, in addition to the districts into which the state has heretofore been divided, a conservation and reclamation district to be known as "Lower Colorado River Authority" (hereinafter called the district) and consisting of that part of the State of Texas which is included within the boundaries of the counties of Blanco, Burnet, Llano, Travis, Bastrop, Fayette, Colorado, Wharton, San Saba and Matagorda and that part of Hays County that is within the watershed of the Colorado River. Such district shall be and is hereby declared to be a governmental agency and body politic and corporate, with the powers of government and with the authority to exercise the rights, privileges and functions hereinafter specified, and the creation of such district is hereby determined to be essential to the accomplishment of the purposes of Section 59 of Article 16 of the Constitution of the State of Texas, including the control, storing, preservation and distribution of the waters

1 of the Colorado River and its tributaries within the boundaries of
2 the district for irrigation, generation of electric energy and
3 power and other useful purposes, the reclamation and irrigation of
4 arid, semi-arid and other lands needing irrigation, the development
5 of parks on lands owned or hereafter acquired by the district, and
6 the conservation and development of the forests, water and electric
7 power in the State of Texas. Nothing in this Act or in any other
8 act or law contained, however, shall be construed as authorizing
9 the district to levy or collect taxes, or to create any
10 indebtedness payable out of taxes, or in any way to pledge the
11 credit of the state.

12 SECTION 2. Section 4(a), Chapter 7, Acts of the 43rd
13 Legislature, 4th Called Session, 1934 (Article 8280-107, Vernon's
14 Texas Civil Statutes), is amended to read as follows:

15 (a) The powers, rights, privileges and functions of the
16 district shall be exercised by a board of 15 directors (herein
17 called the "board"), consisting of [~~at least~~] one director from
18 each of the counties named in Section 1 of the Lower Colorado River
19 Authority Act, with the exception of Travis County, which shall
20 have two directors, and Hays County, which may have one additional
21 director. At least one director from Hays County must reside
22 within the watershed of the Colorado River. If a second director
23 from Hays County is appointed, the second director may not reside
24 within the watershed of the Colorado River. Three directors shall
25 be appointed at large. An at-large director must be from a county
26 served with electric power by the Lower Colorado River Authority
27 and, with the exception of Hays County, may not be from a county

1 included in Section 1 of this Act. [~~There shall be three directors~~
2 ~~appointed at large by the governor with the advice and consent of~~
3 ~~the senate from the counties served with electric power, other than~~
4 ~~those counties included in Section 1 of the Lower Colorado River~~
5 ~~Authority Act.~~] No director appointed at large shall serve for a
6 period of more than six consecutive years. No county, other than
7 those included in Section 1 of the Lower Colorado River Authority
8 Act, shall be represented on the board for more than six
9 consecutive years. No county, other than Travis, shall have two
10 directors for a period greater than six consecutive years. All
11 such directors shall be appointed by the governor with the advice
12 and consent of the senate for staggered terms of six years with
13 five members' terms expiring on February 1 of each odd-numbered
14 year; provided that each director shall be a resident of and
15 freehold property taxpayer of the county from which he is appointed
16 and shall have been such for not less than two years next preceding
17 such appointment. [~~Not more than two of such directors shall be~~
18 ~~residents of the same county.~~] No person shall be eligible for
19 such appointment if he has, during the preceding three years before
20 his appointment been employed by an electric power and light
21 company, telephone company, or any other utility company.

22 SECTION 3. The importance of this legislation and the
23 crowded condition of the calendars in both houses create an
24 emergency and an imperative public necessity that the
25 constitutional rule requiring bills to be read on three several
26 days in each house be suspended, and this rule is hereby suspended,
27 and that this Act take effect and be in force from and after its

1 passage, and it is so enacted.

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APR 14 1993

Filed with the Secretary of the Senate

Read and referred to Committee on NATURAL RESOURCES

Reported favorably _____

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by: { unanimous consent
_____ yeas, _____ nays

Read second time, _____, and ordered engrossed by: { unanimous consent
a viva voce vote
_____ yeas, _____ nays

Caption ordered amended to conform to the body of the bill.

Senate and Constitutional 3 Day Rule suspended by a vote of _____ yeas, _____ nays.

Read third time, _____, and passed by: { A viva voce vote
_____ yeas, _____ nays

SECRETARY OF THE SENATE

OTHER ACTION:

Engrossed

Sent to House

Engrossing Clerk _____

Received from the Senate

Read first time and referred to Committee on _____

Reported favorably amended, sent to Printer at _____

Printed and Distributed _____

Sent to Committee on Calendars _____

Read Second time (amended): passed to third reading (failed)

by (Non-Record Vote) Record Vote of _____ yeas, _____ nays _____ present not voting.

Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of _____ yeas, _____ nays _____ present not voting.

Read third time (amended): finally passed (failed) by a (Non-Record Vote) Record Vote of _____ yeas, _____ nays _____ present not voting.

Caption ordered amended to conform to body of bill.

Returned to Senate.

CHIEF CLERK OF THE HOUSE

Returned from House without amendment.

Returned from House with _____ amendments.

Concurred in House amendments by a viva voce vote _____ yeas, _____ nays.

_____ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

_____ Senate conferees instructed.

_____ Senate conferees appointed: _____, Chairman; _____, _____, and _____

_____ House granted Senate request. House conferees appointed: _____, Chairman; _____, _____, _____, _____.

_____ Conference Committee Report read and filed with the Secretary of the Senate.

_____ Conference Committee Report adopted on the part of the House by: _____

{ a viva voce vote
_____ yeas, _____ nays

_____ Conference Committee Report adopted on the part of the Senate by: _____

{ a viva voce vote
_____ yeas, _____ nays

OTHER ACTION:

_____ Recommitted to Conference Committee

_____ Conferees discharged.

_____ Conference Committee Report failed of adoption by: _____

{ a viva voce vote
_____ yeas, _____ nays